

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	CASE NO.	CR 07-201 JCC
	)		CR 07-217 JCC
Plaintiff,	)		
	)		
v.	)	DETENTION ORDER	
	)		
TOMA LELEA,	)		
	)		
Defendant.	)		
_____	)		

Offense charged: Wire Fraud (15 counts); Mail Fraud (4 counts); Social Security Fraud;  
Felony Theft of Public Money

Date of Detention Hearing: August 6, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant was initially charged in the District of Hawaii with 15 counts of Wire

01 Fraud and 4 counts of Mail Fraud, DHI Case Number CR06-620. Defendant was initially arrested  
02 in this District on those charges, and the case was opened in this District as MJ 06-677. He was  
03 detained and transferred to the District of Hawaii. Subsequently, by the agreement of the parties,  
04 the case was transferred to this District as Case Number CR07-217 JCC. Defendant was also  
05 charged separately in this District with Social Security Fraud—Concealing Events Affecting Rights  
06 to Benefits and Felony Theft of Public Money, Case Number CR07-201 JCC. The cases have  
07 been consolidated for purposes of a change of plea and for sentencing.

08       2.       On August 6, 2007, defendant pled guilty to the above listed charges and is  
09 awaiting sentencing.

10       3.       Defendant does not contest detention. He was detained in the District of Hawaii  
11 prior to the Rule 20 transfer of that case to this District. Defendant has significant ties to Western  
12 and American Samoa. The instant charges involve false identification, immigration and passport  
13 documents, demonstrating an ability to create fictitious identity documents.

14       4.       The defendant poses a risk of flight and nonappearance.

15       5.       There does not appear to be any condition or combination of conditions that will  
16 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
17 to other persons or the community.

18 It is therefore ORDERED:

19       (1)       Defendant shall be detained pending trial and committed to the custody of the  
20 Attorney General for confinement in a correction facility separate, to the extent  
21 practicable, from persons awaiting or serving sentences or being held in custody  
22 pending appeal;

01 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
02 counsel;

03 (3) On order of a court of the United States or on request of an attorney for the  
04 Government, the person in charge of the corrections facility in which defendant is  
05 confined shall deliver the defendant to a United States Marshal for the purpose of  
06 an appearance in connection with a court proceeding; and

07 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
08 counsel for the defendant, to the United States Marshal, and to the United States  
09 Pretrial Services Officer.

10 DATED this 6th day of August, 2007.

11   
12 Mary Alice Theiler  
13 United States Magistrate Judge  
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